

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING, and
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, LLC, NASCAR
HOLDINGS, LLC, NASCAR EVENT
MANAGEMENT, LLC, and JAMES FRANCE,

Defendants.

No. 3:24-cv-886-KDB-SCR

NASCAR EVENT MANAGEMENT, LLC,

Counter-Plaintiff,

v.

2311 RACING LLC d/b/a 23XI RACING,
FRONT ROW MOTORSPORTS, INC., and
CURTIS POLK,

Counter-Defendants.

PLAINTIFFS' PROPOSED PRELIMINARY INJUNCTION

Plaintiffs 2311 Racing LLC ("23XI") d/b/a 23XI Racing and Front Row Motorsports, Inc. ("Front Row"), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 65, have moved this Court for entry of a preliminary injunction in their favor and against Defendants National Association for Stock Car Auto Racing, LLC, NASCAR Holdings, LLC, and NASCAR Event Management, LLC (collectively, "NASCAR") and James France.

Plaintiffs submit this proposed preliminary injunction to clarify the preliminary relief they seek from this Court as follows: (i) enjoining Defendants from selling, transferring, assigning, leasing, conveying or otherwise disposing of the 2025 NASCAR Cup Series Charter Member Agreements belonging to the #23, #35, #45, #4, #34, and #38 cars; (ii) requiring Defendants to allow Front Row to enter three race cars in all NASCAR Cup Series races under the 2025 Charter Agreement terms applicable to all charter teams; and (iii) requiring Defendants to allow 23XI to enter three race cars in all NASCAR Cup Series races under the 2025 NASCAR Cup Series Charter Member Agreement terms applicable to all charter teams.

WHEREFORE, Plaintiffs hereby respectfully request that this Honorable Court grant the following preliminary relief:

- a. A preliminary injunction through trial enjoining Defendants and their agents, servants, employees, attorneys, and all persons in active concert or participation with Defendants from selling, transferring, assigning, leasing, conveying or otherwise disposing of the 2025 NASCAR Cup Series Charter Member Agreements belonging to the #23, #35, #45, #4, #34, and #38 cars.
- b. A preliminary injunction through trial requiring Defendants and their agents, servants, employees, attorneys, and all persons in active concert or participation with Defendants, to allow Plaintiffs to each enter three race cars in all NASCAR Cup Series races under the 2025 NASCAR Cup Series Charter Member Agreement terms applicable to all charter teams; and granting Plaintiffs the rights, and imposing the obligations, of the 2025 NASCAR Cup Series Charter Member Agreement except to the extent the release provision would bar Plaintiffs' antitrust claims through trial.

c. For such other relief the Court deems necessary.

Dated: August 25, 2025

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg. Every statement and every citation to an authority in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction (or the party making the filing if acting pro se) as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFFS' PROPOSED PRELIMINARY INJUNCTION** was electronically filed using the Court's CM/ECF system, which will automatically send notice of this filing to counsel of record for all parties, including:

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